

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



Laura D. Rose,
Interim Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 00-020

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. In s. HFS 56.06, because there is no sub. (2), sub. (1) should be s. HFS 56.06 (intro.) and the paragraphs should be renumbered as subsections.

b. In s. HFS 56.09 (4) (f), “No foster parent may” should replace “Under no circumstances may a foster parent.” [See s. 1.01 (2), Manual.]

c. In s. HFS 56.11 (3), the information in the subdivision titles should be included in the text of each subdivision because the titles are not part of the substance of the rule. [See s. 1.05 (3) (a), Manual.] In addition, the material in each subdivision following the colon should be included in subdivision paragraphs. Alternatively, the sentences following the colon could be replaced with phrases separated by semi-colons. The material in sub. (3) could also be placed in a separate section.

d. Parenthetical material should not be used in rules. For example, see s. HFS 56.11 (3) (c) 3.

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. HFS 56.03 (24), “ch. HFS 56 or 38” should be replaced with “this chapter or ch. HFS 38.”

- b. In the note to s. HFS 56.08 (7) (a) 3., “ch.” should be replaced with “s.”

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Section HFS 56.01 (2) states that a license to operate a foster home does not entitle the holder to placement of children. This should be explained further.

- b. Section HFS 56.02 (2) (b) 2. a. and b. should begin with “The.”

c. In s. HFS 56.03 (4), “case plan” is defined to mean the permanency plan required under s. 48.38 or 938.38, Stats. However, “permanency plan” is also defined in sub. (29). If there is a distinction between the two plans, it should be indicated. Otherwise, one phrase should be chosen and used throughout the chapter.

- d. In the note to s. HFS 56.03 (18), “head to toe” should be replaced with “head-to-toe.”

- e. In s. HFS 56.03 (29), a hyphen should be inserted between “long” and “term.”

f. In s. HFS 56.03 (37), the sentence relating to the termination of a voluntary placement agreement should be deleted because it is not definitional.

g. In s. HFS 56.04 (4) (a) 3., the first sentence should be rewritten to clarify that a request for a waiver may only be made in relation to homeowner’s or renter’s insurance. This comment also applies to par. (b) 3.

- h. In s. HFS 56.04 (4) (a) 8., a hyphen should be inserted between “5” and “year.”

- i. In s. HFS 56.04 (4) (a) 9., “care giver” should be written as one word.

- j. In s. HFS 56.04 (5) (a), “sixty” should be replaced with “60.”

k. In s. HFS 56.04 (5) (b), it would be clearer if “requirement” were replaced with “time limit.”

l. In s. HFS 56.05 (1) (a), does “statutory conviction” mean civil or criminal conviction?

m. In s. HFS 56.05 (1) (b) 1. a., “the child’s strengths” should be replaced with “a child’s strengths.”

- n. In s. HFS 56.05 (1) (b) 1. f., what is meant by “capacity”?

o. In s. HFS 56.05 (1) (c) 4., “and any change in the work schedule of a foster parent who works outside the home” could be deleted and “or work schedule” could be inserted after “any change in the job.”

p. In s. HFS 56.05 (1) (c) 6., it would be clearer if “and that abuse or neglect of the foster child will likely occur” were replaced with “and it is likely that the foster child will be abused or neglected.”

q. In s. HFS 56.05 (1) (f) 1., the reference to form HFS-60 should be followed by a note.

r. In s. HFS 56.05 (1) (f) 2. (intro.), “meets any of the following conditions” should be inserted at the end of the sentence.

s. In s. HFS 56.07 (5) (c), “when the” should be replaced with “from the date that a.”

t. In s. HFS 56.07 (6) (d) 1., in the last sentence, “the fireplace” should be replaced with “a fireplace.”

u. In s. HFS 56.08 (7) (c), “Agencies” should be replaced with “Licensing agencies.”

v. In s. HFS 56.09 (2) (f), the hyphens in “out-of-state” should be deleted.

w. In s. HFS 56.09 (2) (g), in the last sentence, the comma following “48 hours” should be deleted.

x. In s. HFS 56.09 (10) (c), “is not to be confused with” should be replaced with a phrase such as “does not apply to.”

y. In s. HFS 56.09 (11) (a) 7., it appears that “occurrences and” could be deleted.

z. In s. HFS 56.11 (3) (b) 2., “school work” should be inserted after “make-up.”

aa. In s. HFS 56.12 (8) (b), “in keeping with” should be replaced with “based upon” and “geared” should be replaced with “appropriate.”